

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CIVIL ACTION NO. 1:15CV1036
)	
Plaintiff,)	JUDGE CHRISTOPHER A. BOYKO
)	
v.)	
)	
\$16,765.00 IN U.S. CURRENCY, ET AL.,)	JUDGMENT ENTRY
)	
Defendants.)	

Before the Court is the Motion to Dismiss Certain Defendant Properties from Complaint pursuant to Fed. R. Civ. P. 41(a)(2). Upon review of the motion, the Court finds as follows:

1. On May 22, 2015, the United States filed a civil complaint in forfeiture naming seized properties, including the following, as defendant properties:

- a. \$5,266.41 SEIZED FROM AMERICAN FUNDS, CB&T CUST ROTH IRA ACCT. #XXXX1832;
- b. \$5,093.16 SEIZED FROM AMERICAN FUNDS, CB&T CUST IRA ACCT. #XXXX6729;
- c. \$6,442.98 SEIZED FROM LPL FINANCIAL, PTC CUSTODIAN ROTH IRA ACCT. #XXXX-2403;
- d. \$6,500.20 SEIZED FROM MFS INVESTMENT MANAGEMENT, HERITAGE TRUST COTTEE, IRA ACCT. #XXXX-XXXXXX51424;
- e. \$5,583.30 SEIZED FROM MFS INVESTMENT MANAGEMENT, HERITAGE TRUST COTTEE, IRA ACCT. #XXXX-XXXXXXX1425;
- f. \$5,276.85 SEIZED FROM MFS INVESTMENT MANAGEMENT, HERITAGE TRUST COTTEE, IRA ACCT. #0309-08189451426;

- g. \$5,924.42 SEIZED FROM MFS INVESTMENT MANAGEMENT, HERITAGE TRUST COTTEE, IRA ACCT. #XXXX-XXXXXXX1427; and
- h. \$27,026.84 SEIZED FROM LPL FINANCIAL, BROKERAGE ACCT. #XXXX-9957.

2. On July 30, 2015, Iris Karina Baker filed an amended claim to, among others, the following two above-described defendant properties:

- a. \$5,266.41 SEIZED FROM AMERICAN FUNDS, CB&T CUST ROTH IRA ACCT. #XXXX1832; and
- b. \$5,093.16 SEIZED FROM AMERICAN FUNDS, CB&T CUST IRA ACCT. #XXXX6729.

3. On July 20, 2018, Dominic A. Schender filed an amended claim to, among others, the following two above-described defendant properties:

- a. \$6,442.98 SEIZED FROM LPL FINANCIAL, PTC CUSTODIAN ROTH IRA ACCT. #XXXX-2403; and
- b. \$27,026.84 SEIZED FROM LPL FINANCIAL, BROKERAGE ACCT. #XXXX-9957.

4. On July 20, 2018, Discounted Telecommunication Services Inc. filed an amended claim to, among others, the following four above-described defendant properties:

- a. \$6,500.20 SEIZED FROM MFS INVESTMENT MANAGEMENT, HERITAGE TRUST COTTEE, IRA ACCT. #XXXX-XXXXXXX51424;
- b.. \$5,583.30 SEIZED FROM MFS INVESTMENT MANAGEMENT, HERITAGE TRUST COTTEE, IRA ACCT. #XXXX-XXXXXXX1425;
- c. \$5,276.85 SEIZED FROM MFS INVESTMENT MANAGEMENT, HERITAGE TRUST COTTEE, IRA ACCT. #0309-08189451426; and

- d. \$5,924.42 SEIZED FROM MFS INVESTMENT MANAGEMENT, HERITAGE TRUST COTTEE, IRA ACCT. #XXXX-XXXXXXX1427.

5. No other person or party filed a claim as to the above-described properties.

Therefore, it is ORDERED, ADJUDGED, and DECREED:

1. The following named defendant properties are hereby dismissed from the complaint, without prejudice, pursuant to Fed. R. Civ. P. 41(a)(2):

- a. \$5,266.41 SEIZED FROM AMERICAN FUNDS, CB&T CUST ROTH IRA ACCT. #XXXX1832;
- b. \$5,093.16 SEIZED FROM AMERICAN FUNDS, CB&T CUST IRA ACCT. #XXXX6729;
- c. \$6,442.98 SEIZED FROM LPL FINANCIAL, PTC CUSTODIAN ROTH IRA ACCT. #XXXX-2403;
- d. \$6,500.20 SEIZED FROM MFS INVESTMENT MANAGEMENT, HERITAGE TRUST COTTEE, IRA ACCT. #XXXX-XXXXXXX51424;
- e. \$5,583.30 SEIZED FROM MFS INVESTMENT MANAGEMENT, HERITAGE TRUST COTTEE, IRA ACCT. #XXXX-XXXXXXX1425;
- f. \$5,276.85 SEIZED FROM MFS INVESTMENT MANAGEMENT, HERITAGE TRUST COTTEE, IRA ACCT. #0309-08189451426;
- g. \$5,924.42 SEIZED FROM MFS INVESTMENT MANAGEMENT, HERITAGE TRUST COTTEE, IRA ACCT. #XXXX-XXXXXXX1427; and
- h. \$27,026.84 SEIZED FROM LPL FINANCIAL, BROKERAGE ACCT. #XXXX-9957.

2. The United States is directed to make arrangements for the return of the dismissed defendant properties to the respective claimants.

3. This case is pending as to the remaining thirty-two defendant properties.

It is so ORDERED this 9th day of November, 2018.

s/ Christopher A. Boyko
CHRISTOPHER A. BOYKO
UNITED STATES DISTRICT JUDGE